

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYNOR D. FOX,

Plaintiff,

Case No. 21-cv-12950

Hon. Matthew F. Leitman

v.

AMIE JENKINS, *et al.*,

Defendants.

**ORDER (1) ADOPTING RECOMMENDED DISPOSITION OF REPORT
AND RECOMMENDATION (ECF No. 25) AND (2) DENYING
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT (ECF No. 20)**

Plaintiff Raynor D. Fox is a state inmate in the custody of the Michigan Department of Corrections. In this prisoner civil rights action, Fox alleges that Defendant Amie Jenkins violated his Eighth Amendment rights when Jenkins failed to provide him clean socks while he was in quarantine. (*See* Compl., ECF No. 1.)

On July 27, 2022, Jenkins moved for summary judgment on the basis that Fox had failed to exhaust his claims prior to filing this action. (*See* Mot., ECF No. 20.) The motion was referred to the assigned Magistrate Judge, and on November 14, 2022, the Magistrate Judge issued a report and recommendation in which she recommended that the Court deny the motion (the “R&R”). (*See* R&R. ECF No. 25.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they

wanted to seek review of her recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.*, PageID.183-184.)

Jenkins has not filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). Likewise, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because Jenkins has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommended disposition of Jenkins' motion is **ADOPTED**.

IT IS FURTHER ORDERED that Jenkins' motion for summary judgment (ECF No. 25) is **DENIED**.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: January 3, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 3, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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